

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

FRANCINE ZYSK,

Plaintiff,

v

Case No. 3:18-cv-10639

Hon. Robert H. Cleland

Mag. Judge Stephanie Dawkins Davis

THERESA M. BRENNAN, in her
individual and official capacities,
MIRIAM CAVANAUGH, in her
individual and official capacities,

Defendants.

James K. Fett (P39461) FETT & FIELDS, P.C. 805 E. Main Pinckney, MI 48169 734-954-0100 734-954-0762-fax jim@fettlaw.com Attorneys for Plaintiff	T. Joseph Seward (P35095) SEWARD HENDERSON, PLLC 210 E 3 rd St Ste 212 Royal Oak MI 48067 248-733-3580 248-733-3633-fax jseward@SewardHenderson.com Attorneys for Defendant Theresa M. Brennan
	Thomas L. Fleury KELLER THOMA, P.C. 26555 Evergreen Rd Ste 1240 Southfield MI 48076-4251 313-965-7610/313-965-4480-fax tlf@kellerthoma.com Attorneys for Defendant Miriam Cavanaugh

Motion for Discovery

Plaintiff, through counsel, moves the Court to grant discovery as follows:

1. The Court's practice guidelines state:

- i. **Early discovery:** The Court expects the parties to conduct early discovery by agreement although Rule 26(b) does not authorize court sanctioned discovery prior to the initial attorney's conference.
2. The attorney's conference has not been held because there is a pending motion to dismiss.
3. Plaintiff served Subpoenas on third parties for documents and Defendant objected
4. Plaintiff withdrew the subpoenas but sought Defendant's concurrence in this motion; Defendant declined.
5. Since the Court's practice guideline indicates that the Court expects the parties to conduct early discovery, Plaintiff brings this motion.
6. Plaintiff requests that the Court rule on this motion without oral argument by entering an order allowing the parties to begin discovery.

Respectfully submitted,

/s/ James K. Fett

By: James K. Fett (P39461)

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Attorneys for Plaintiff

Dated: September 11, 2018

Affidavit of Mailing

I hereby certify that on September 11, 2018, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: **T. Joseph Seward**.

/s/ James K. Fett

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